

JOURNAL OF THE HOUSE

First Extraordinary Session, 93rd GENERAL ASSEMBLY

SEVENTH DAY, WEDNESDAY, SEPTEMBER 14, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

In responding to the call to this First Extraordinary Session, you are fulfilling this verse of scripture. When you have done all you have been told to do say, 'We are merely servants: we have done no more than our duty,' (*Luke 17:10*).

Let us pray. Almighty God, may Your Holy Spirit strengthen us to do our duty, the work set before us this day. Grant us the gifts of wisdom, understanding, courage and right judgment. Employing these gifts of the Holy Spirit, we shall be able to serve our people well. Lord God, we ask Your blessing.

Bless us, O Lord in our work today.
Bless us, O Lord, and be with us, we pray.
May all that we do Your glory proclaim,
May all that we do be done in Your name. Amen!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Benjamin Collins Smith and Taylor Bowers.

The Journal of the sixth day was approved as corrected.

SPECIAL RECOGNITION

David Breeden was introduced by Representative Roorda and recognized as an Outstanding Missourian.

THIRD READING OF SENATE BILL

SB 1, relating to abortion regulations, was taken up by Representative Cunningham (86).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 1, Page 2, Section 188.250, Lines 4-14, by deleting all of said lines; and

Further amend said page and section, by renumbering the remaining sections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (47) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Baker 25	Bland	Bowman	Boykins	Brooks
Brown 50	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fares	Fraser	Harris 23
Haywood	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Lampe	LeVota
Low 39	Lowe 44	Oxford	Parker	Skaggs
Storch	Villa	Vogt	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 112

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Burnett	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	Brown 30	Marsh	Page
Roorda	Salva	Wagner		

VACANCIES: 002

Representative Fraser offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 1, Page 2, Section 188.250, Line 28, by inserting after all of said line the following:

"6. The provisions of this section shall not apply in the case of a minor who obtains an abortion as a result of rape or incest, or to save the life of the minor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Aull	Baker 25	Bean	Bland	Bowman
Boykins	Brooks	Brown 50	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fares	Fraser	Harris 23	Haywood	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Jolly	Kratky	Lampe	LeVota	Low 39
Lowe 44	Oxford	Robinson	Rucker	Selby
Shoemyer	Skaggs	Storch	Vogt	Wallace
Walton	Weter	Whorton	Wildberger	Witte
Wright-Jones	Young	Zweifel		

NOES: 106

Baker 123	Bearden	Behnen	Bivins	Black
Bringer	Bruns	Burnett	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
George	Goodman	Guest	Harris 110	Henke
Hobbs	Ice	Jackson	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lembke
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Roorda	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Self	Silvey	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa

Walsh	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yaeger	Yates
Mr Speaker				

PRESENT: 001

Hunter

ABSENT WITH LEAVE: 006

Avery	Brown 30	Marsh	Page	Salva
Wagner				

VACANCIES: 002

Representative LeVota offered **House Amendment No. 3.**

Representative Yates raised a point of order that **House Amendment No. 3** goes beyond the call of the Governor and the scope of the bill.

The Chair ruled the point of order well taken.

Representative Johnson (61) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Bill No. 1, Page 1, Section 188.250, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"188.250. 1. No person shall intentionally transport a minor in order to obtain an abortion without the consent or consents required by section 188.028."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Johnson (61) moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

SB 1 was laid over.

On motion of Representative Dempsey, the House recessed from the First Extraordinary Session until the adjournment of the Veto Session.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILL

SB 1, relating to abortion regulations, was again taken up by Representative Cunningham (86).

Representative Lampe offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 1, Page 2, Section 188.250, Line 28, by inserting after all of said line the following:

"6. The provisions of this section shall not apply to any grandparent, sibling, aunt, or uncle of a minor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Bill No. 1, Page 2, Section 188.250, Line 7, by inserting immediately after the word "damages" the following:

"Of up to one thousand dollars"; and

Further amend said bill, Page 2, Section 188.250, Lines 9-11, by deleting everything after the word "event" up to the first period "." on Line 11; and

Further amend said bill, Page 2, Section 188.250, Line 28, by inserting immediately at the end of said line the following:

"6. Any cause of action filed under this section shall be brought within two years from the date of the abortion.";

Representative Skaggs moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Oxford offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Bill No. 1, Page 2, Section 188.250, Line 28, by inserting after all of said line the following:

"6. The provisions of this section shall not apply to any religious pastor, minister, or other member of the clergy providing counsel to a minor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Baker 25	Bland	Bowman	Boykins	Brooks
Brown 50	Chappelle-Nadal	Curls	Darrough	Donnelly
El-Amin	Fares	Fraser	Harris 23	Haywood
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61
Johnson 90	Jolly	Lampe	LeVota	Low 39
Lowe 44	Oxford	Roorda	Skaggs	Storch
Vogt	Walton	Whorton	Wildberger	Witte
Wright-Jones	Young	Zweifel		

NOES: 112

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Burnett	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	George	Goodman
Guest	Harris 110	Henke	Hobbs	Hunter
Icet	Jackson	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Self	Shoemyer	Silvey	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wood	Wright 137	Wright 159	Yaeger
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bean	Brown 30	Kratky	Marsh
Page	Salva	Schneider	Selby	Wagner
Wilson 130				

VACANCIES: 002

Representative Low (39) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND Senate Bill No. 1, Page 1, Section 188.080, Line 4, by deleting the words "**class B felony**" and inserting in lieu thereof the following:

"**class A misdemeanor**"; and

Further amend said bill, Page 1, Section 188.080, Line 9, by deleting the words "**A misdemeanor**", and inserting in lieu thereof the following:

"**C misdemeanor**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Henke offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND Senate Bill No. 1, Page 1, Section 188.080, Line 2, by deleting the words "is not a licensed physician as defined in section 188.015 who"; and

Further amend Section 188.080, Line 5, by deleting the words "any physician performing"; and

Further amend Section 188.080, Page 1, by deleting Lines 6-10.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Icet	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson

36 *Journal of the House*

Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 059

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meiners	Oxford	Robinson	Roorda
Rucker	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Kratky	Marsh	Meadows
Page	Salva	Wagner		

VACANCIES: 002

Representative Henke moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 024

Bringer	Casey	Corcoran	Daus	Dougherty
George	Harris 110	Henke	Kuessner	Liese
Meiners	Pollock	Robinson	Roorda	Rucker
Schoemehl	Selby	Self	Shoemyer	Spreng
Swinger	Villa	Walsh	Yaeger	

NOES: 124

Aull	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Brooks	Brown 50	Bruns	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Guest	Harris 23	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kraus	Lager	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Moore	Munzlinger

Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Silvey	Skaggs	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zweifel	Mr Speaker	

PRESENT: 002

Burnett Vogt

ABSENT WITH LEAVE: 011

Avery	Bean	Brown 30	Goodman	Kratky
Marsh	Meadows	Page	Salva	Wagner
Wright 137				

VACANCIES: 002

Representative Low (39) moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Baker 25	Bland	Boykins	Brooks	Brown 50
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	Harris 23	Haywood	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Jolly	Lampe	LeVota	Low 39	Lowe 44
Oxford	Skaggs	Storch	Vogt	Walton
Whorton	Wildberger	Wright-Jones	Young	Zweifel

NOES: 113

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Bringer	Bruns	Burnett
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lembke	Liese	Lipke
Loehner	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby

38 *Journal of the House*

Self	Shoemyer	Silvey	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yaeger	Yates	Mr Speaker		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 012

Avery	Bean	Brown 30	Deeken	Kratky
Marsh	Meadows	Page	Parker	Salva
Tilley	Wagner			

VACANCIES: 002

Representative Baker (25) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND Senate Bill No. 1, Page 1, Section 188.080, Line 10, by inserting after said line the following:

“The provisions of this section shall not apply in the case of a physician who has been denied clinical privileges at all hospitals located within thirty miles of the location at which the abortion is performed or induced.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Baker (25) moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 033

Baker 25	Bland	Bowman	Brooks	Brown 50
Chappelle-Nadal	Corcoran	Curls	Darrough	Donnelly
El-Amin	Fraser	Harris 23	Haywood	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Jolly	Lampe	LeVota	Low 39	Lowe 44
Oxford	Storch	Vogt	Walton	Wildberger
Wright-Jones	Young	Zweifel		

NOES: 114

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Burnett	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kraus

Kuessner	Lager	Lembke	Liese	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Mr Speaker	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 013

Avery	Bean	Boykins	Brown 30	Kratky
Marsh	Page	Parker	Salva	Schneider
Skaggs	Wagner	Walsh		

VACANCIES: 002

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Baker 123	Bean	Bearden	Behnen	Bivins
Bruns	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal

Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Robinson	Roorda
Rucker	Schoemehl	Selby	Shoemyer	Spreng
Storch	Swinger	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Black	Boykins	Brown 30	Kratky
Marsh	Page	Parker	Salva	Schneider
Skaggs	Wagner			

VACANCIES: 002

On motion of Representative Cunningham (86), **SB 1** was truly agreed to and finally passed by the following vote:

AYES: 115

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Brown 50	Bruns	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Henke	Hobbs	Hubbard	Hunter
Icet	Jackson	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 035

Baker 25	Bean	Bland	Bowman	Boykins
Brooks	Burnett	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fares	Fraser
Harris 23	Haywood	Hoskins	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Lampe	LeVota

Low 39	Lowe 44	Oxford	Storch	Walton
Whorton	Witte	Wright-Jones	Young	Zweifel

PRESENT: 001

Wildberger

ABSENT WITH LEAVE: 010

Avery	Brown 30	Kratky	Marsh	Page
Parker	Salva	Schneider	Skaggs	Wagner

VACANCIES: 002

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Aull	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	George	Goodman	Guest	Harris 110
Henke	Hobbs	Hubbard	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lembke	Liese	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 038

Baker 25	Bean	Bland	Bowman	Boykins
Brooks	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fares
Fraser	Harris 23	Haywood	Hoskins	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Lampe
LeVota	Low 39	Lowe 44	Oxford	Storch
Vogt	Walton	Whorton	Wildberger	Witte
Wright-Jones	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Brown 30	Kratky	Marsh	Page
Parker	Roorda	Salva	Schneider	Skaggs
Wagner				

VACANCIES: 002

SB 4, with House Committee Amendment No. 1, relating to Workers' Compensation Law, was taken up by Representative Hunter.

On motion of Representative Hunter, **House Committee Amendment No. 1** was adopted by the following vote:

AYES: 098

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 056

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Kratky	Marsh	Page
Salva	Wagner			

VACANCIES: 002

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 060

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Robinson
Roorda	Rucker	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Kratky	Marsh	Page
Salva	Wagner			

VACANCIES: 002

On motion of Representative Hunter, **SB 4** was truly agreed to and finally passed by the following vote:

AYES: 097

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Hobbs	Hubbard	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Haywood	Henke	Hoskins	Hughes
Johnson 61	Johnson 90	Jolly	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Kratky	Marsh	Page
Salva	Wagner			

VACANCIES: 002

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 099

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hoskins	Hubbard	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 054

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrrough	Daus	Donnelly
Dougherty	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hughes	Johnson 61	Johnson 90
Jolly	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Brown 50	Kratky	Marsh
Page	Salva	Wagner		

VACANCIES: 002

COMMITTEE CHANGE

Representative Pratt has been appointed Chair of the Judiciary Committee.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, September 15, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause for SB 4 in the House Journal for September 14, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of September 2005.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of September in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my vote as recorded on Page 24 of the House Journal for Tuesday, September 13, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of September 2005.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of September in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETING

MEDICAID REFORM COMMISSION

Thursday, September 15, 2005, 8:00 a.m. Hearing Room 7.

Provider testimony and prevention.

To testify notify Senator Shield's office 573-751-9476.

HOUSE CALENDAR

EIGHTH DAY, THURSDAY, SEPTEMBER 15, 2005

HOUSE BILL FOR PERFECTION

HCS HB 1 - Cunningham (86)

SENATE CONCURRENT RESOLUTION

SCR 1, (9-09-05, Pages 11-12) - Lager